

AGREEMENT WITH PERRYSBURG TOWNSHIP  
**RECORD OF RESOLUTIONS**  
FOR LAKEMONT, PLATS 3 & 4

THIS AGREEMENT, made this 5<sup>th</sup> day of November, 2007, by and between the  
~~TRUSTEES OF PERRYSBURG TOWNSHIP, WOOD COUNTY, OHIO~~, hereinafter called "Trustees" and THE  
TOLEDO EDISON COMPANY, a corporation organized and existing by virtue of the laws of the State of Ohio, its  
successors and assigns, hereinafter called the "Company"; Passed .....  
Resolution No. .... YEAR .....

WITNESSETH.

WHEREAS, the Trustees have complied with all of the necessary and proper legal notices, hearings and all other action and proceedings required by Section 515.02 - 515.11, inclusive, of the Revised Code and other statutes of the State of Ohio, and have acted upon the petition signed by the property owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the unincorporated district in Perrysburg Township, Wood County, Ohio, known as Lakemont, Plats 3 & 4; and recorded in Volume(s) 21, Page(s) 637 of the Wood County Plat Records.

WHEREAS, in pursuance of said proceedings, bids were submitted to the Trustees for the lighting of said Lakemont, Plats 3 & 4; and

WHEREAS, on the 5<sup>th</sup> day of November, 2007, the Trustees by resolution, determined that the bid of the Company for said lighting was and is the lowest and best bid and duly accepted said bid;

NOW, THEREFORE, in consideration of the premises, IT IS AGREED:

Section 1. The Company agrees to furnish, operate and maintain the street lights in Lakemont, Plats 3 & 4, Perrysburg Township, Wood County, Ohio, at the locations designated on the attached print marked "Exhibit A" and made a part hereof for a period of ten (10) years from and after September 1, 2007. The initial number of lights to be furnished and at all times used by the customers shall be Twenty-four (24) 100 Watt Traditionaire Post-top lights on fiberglass poles with underground service.

Section 2. The Trustees agree to pay the Company the rates and charges set forth in P.U.C.O. No. 8, Sheet 71, pages 1 through 20, and incorporates by reference herein, as may be amended from time to time, for each and every light operated and maintained by the Company for the sole purpose of furnishing street lighting to the territory of the Customer.

Section 3.

- a. That the Company shall use reasonable care in the furnishing of its service but shall not be liable for any loss caused by strikes, lockouts, acts of God or the elements or any other acts beyond its reasonable control.
- b. That at the time the bid of the Company for said lighting was submitted, the Company was not charged with any delinquent personal property taxes on the general list of personal property of any county in which the Trustees as a taxing district have territory and that the Company was not charged with delinquent taxes on any such tax list.
- c. This Agreement shall be binding upon and inure to the benefit of the respective parties hereto, and their successors and assigns.
- d. This Agreement shall remain in full force and effect for a period of ten (10) years from and after September 1, 2007. The terms and conditions of P.U.C.O. No. 8, Sheet No. 71, Pages 1 through 20 applies to the furnishing of street lighting by the Company except as provided in this Agreement.

IN WITNESS WHEREOF, the Trustees of Perrysburg Township, Wood County, Ohio, and The Toledo Edison Company have hereunto set their hands this 5<sup>th</sup> day of November, 2007.

THE TOLEDO EDISON COMPANY

By: Russell R. Swager  
Agent

TRUSTEES OF PERRYSBURG TOWNSHIP  
WOOD COUNTY, OHIO

[Signature]  
Robert P. Ma...  
[Signature]

RECORD OF RESOLUTIONS

AFFIDAVIT OF NONDELINQUENCY OF PERSONAL PROPERTY TAXES FOR PERRYSBURG TOWNSHIP - LAKEMONT, PLATS 3 & 4

Dayton Legal Blank Co., Form No. 30045

Res (18)

STATE OF OHIO Resolution No. )

Passed , YEAR

) SS:

COUNTY OF SUMMIT )

James F. Pearson being first duly sworn, deposes and says as follows:

- 1. He is the Treasurer of The Toledo Edison Company;
- 2. That the Toledo Edison Company was awarded a contract by Perrysburg Township for Lakemont, Plats 3 & 4;

3. That at the time the bid for the above project was submitted, the Toledo Edison Company was not charged with any delinquent personal property taxes on the general list of personal property of any county in which Perrysburg Township as a taxing district has territory and that the Toledo Edison Company was not charged with delinquent property taxes on any such tax list;

Further, affiant saith naught.



James F. Pearson

Sworn to before me and subscribed in my presence this 16<sup>th</sup> day of October, 2007.



Notary Public

Michele A. Buchtel  
Resident Summit County  
Notary Public, State of Ohio  
My Commission Expires: 08/28/11